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U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

-----X  
JOE HAND PROMOTIONS, INC.  
407 E. Pennsylvania Blvd.  
Feasterville, PA 19053,

Plaintiff

vs.

CIVIL ACTION NO. 3:18-cv-9185-BRM-DEA

EDWARD BRADY, CAROLYN BRADY,  
NANCY BRADY, individually, and as  
officers, directors, shareholders, members  
and/or principals of The Village Lantern,

Defendants  
-----X

**ANSWER TO COMPLAINT WITH AFFIRMATIVE DEFENSES**

Edward Brady, Carolyn Brady, and Nancy Brady (collectively, "Defendants") answer the Complaint filed by Joe Hand Promotions, Inc. ("JHP" or "Plaintiff") as follows:

**JURISDICTION AND VENUE**

1. Admitted in part and denied in part. It is admitted that Plaintiff purports to have filed an action under the Copyright Act of the United States, 17 U.S.C. § 101 *et seq.* and the Communications Act of 1934, as amended, 47 U.S.C. § 553 and 47 U.S.C. § 605. To the extent this paragraph contains conclusions of law, denied. By way of further response, denied. Jurisdiction is not proper in this District because The Village Lantern d/b/a The Lantern is operated by Pasta & Potatoes, Inc., and not the named Defendants. As one of the named Defendants has no affiliation with the The Village Lantern or Pasta & Potatoes, Inc., the establishment is located in New York, the corporation is incorporated in New York, and all of

the alleged acts took place in New York, jurisdiction is proper in New York. Jurisdiction is also not proper in this District because none of the Defendants reside in this District.

2. Denied. The named Defendants do not reside in the State of New Jersey. It is also denied that venue is proper in this District because one of the named Defendants has no affiliation with the The Village Lantern or Pasta & Potatoes, Inc., which operates The Village Lantern, the establishment is located in New York, the corporation is incorporated in New York, and all of the alleged acts took place in New York. By way of further response, the proper venue is New York.

#### **THE PARTIES**

3. Defendants are without sufficient knowledge or information to determine the truth of the averments stated in this paragraph, and the allegations are therefore denied.

4. Defendants are without sufficient knowledge or information to determine the truth of the averments stated in this paragraph, and the allegations are therefore denied.

5. Defendants are without sufficient knowledge or information to determine the truth of the averments stated in this paragraph, and the allegations are therefore denied.

6. Defendants are without sufficient knowledge or information to determine the truth of the averments stated in this paragraph, and the allegations are therefore denied.

7. Admitted in part and denied in part. It is admitted that The Village Lantern, which does business as The Lantern, is an establishment located at 167 Bleeker Street, New York, NY 10012. The remaining allegations in this paragraph are denied. By way of further response, The Village Lantern is operated by Pasta & Potatoes, Inc., a New York corporation. By way of further response, the named Defendant Edward Brady is understood to mean Edward

T. Brady, and not Edward Brady Sr., the latter having no affiliation with The Village Lantern, Pasta & Potatoes, Inc., or any of the alleged acts relevant to this action.

8. Denied. By way of further response, The Village Lantern is operated by Pasta & Potatoes, Inc., a New York corporation, of which Defendant Carolyn Brady is Chief Executive Officer.

9. Denied. It is admitted that named Defendant Nancy Brady is an individual residing in the State of New Jersey. The remaining allegations in this paragraph are denied. By way of further response, The Village Lantern is operated by Pasta & Potatoes, Inc., a New York corporation. Defendant Nancy Brady has no affiliation with either entity.

10. Denied.

#### **FACTS**

11. Defendants are without sufficient knowledge or information to determine the truth of the averments stated in this paragraph, and the allegations are therefore denied.

12. Admitted in part and denied in part. Defendants admit that the Program was legally available to Defendants for exhibition. The remaining allegations are denied.

13. Defendants are without sufficient knowledge or information to determine the truth of the averments stated in this paragraph, and the allegations are therefore denied.

14. Defendants are without sufficient knowledge or information to determine the truth of the averments stated in this paragraph, and the allegations are therefore denied.

15. Denied.

16. Denied.

17. Denied as a conclusion of law. By way of further response, denied.

18. Defendants are without sufficient knowledge or information to determine the truth of the averments stated in this paragraph, and the allegations are therefore denied.

#### **COUNT I**

##### **SATELLITE [47 U.S.C. § 605] AND CABLE [47 U.S.C. § 553] PIRACY**

19. Defendants' responses to the preceding paragraphs are repeated and incorporated by reference as if set forth here at length.

20. Denied.

21. Denied as a conclusion of law.

22. Denied as a conclusion of law.

#### **COUNT II**

##### **COPYRIGHT INFRINGEMENT**

23. Defendants' responses to the preceding paragraphs are repeated and incorporated by reference as if set forth here at length.

24. Denied as a conclusion of law.

25. Denied as a conclusion of law.

26. Denied as a conclusion of law.

##### **AFFIRMATIVE DEFENSES**

1. Plaintiff's complaint fails to state a claim for which relief may be granted. The Village Lantern d/b/a The Lantern is not operated by the named Defendants. The Village Lantern is operated Pasta & Potatoes, Inc., a New York corporation. One of the named Defendants has no affiliation whatsoever with either entity.

2. This venue is improper. The Village Lantern is located in New York, and is operated by Pasta & Potatoes, Inc., a corporation incorporated in New York. All of the alleged acts took place New York. None of the named Defendants reside in New Jersey. Therefore, venue is proper in New York.

3. Plaintiff is not the rightful owner of the asserted copyright.

4. Plaintiff's asserted copyright is invalid.

5. Plaintiff's claims are barred by the doctrines of acquiescence and/or laches.

6. Plaintiff is not entitled to attorney fees, costs or disbursements.

7. These answering Defendants are not legally responsible for the acts alleged by Plaintiff. The Village Lantern is operated by Pasta & Potatoes, Inc., a New York corporation.

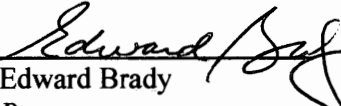
8. Defendants have not infringed any applicable copyright under federal law, nor violated 47 U.S.C. §§ 553, 605.

9. Defendants reserve the right to assert additional and pursue additional affirmative defenses.

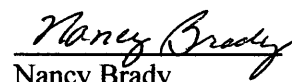
WHEREFORE, Defendants deny that they are liable to Plaintiff on any of the claims alleged and deny that Plaintiff is entitled to damages, attorney fees, costs, or disbursements, or any relief whatsoever. Defendants respectfully request that this Court dismiss Plaintiff's complaint in its entirety, with prejudice, deny each of Plaintiff's claims, enter judgment in favor of Defendants and against Plaintiff, and grant Defendants all such further relief as the Court deems just and appropriate.

Respectfully submitted,

Date: 7/5/2018

  
Edward Brady  
*Pro se*

  
Carolyn Brady  
*Pro se*

  
Nancy Brady  
*Pro se*

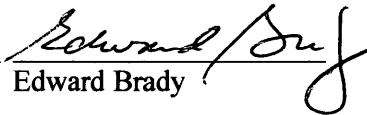
**CERTIFICATE OF SERVICE**

The undersigned certifies that on the date set forth below a true and correct copy of the ANSWER TO COMPLAINT WITH AFFIRMATIVE DEFENSES has been served on the following via U.S. First Class Mail:

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*Attorneys for Plaintiff*  
*Joe Hand Promotions, Inc.*

Date: 7/5/2018

  
Edward Brady

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199 Bowery  
N.Y., N.Y. 10002

Clerk of Court  
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Trenton, N.J. 08608